REMARKS

Applicant thanks the Examiner for the interview of May 12, 2009. The parties discussed the prior art rejections. The Examiner indicated a desire to see more details in the claims regarding how bidding is performed and bid selection made.

The Examiner objects to claim 29. Claim 29 has been canceled.

The Examiner rejects claims 4, 6, 16, 21-23, 28, 42, and 49 are rejected under 35 U.S.C. §112, first paragraph. Claims 4, 6, 16, 21-23, 28, 42, and 49 have been canceled.

The Examiner next rejects claims 2, 4, 6, and 21-23 under 35 U.S.C.§112, second paragraph as being indefinite. Claims 2, 4, 6, and 21-23 have been canceled.

The Examiner next rejects claims 21-23 under 35 U.S.C.§101. Claims 21-23 have been canceled.

The Examiner rejects claims 1-6, 8-14, 16-19, 24-32, 34-40, and 42-53 under 35 U.S.C.§103(a) as being unpatentable over Philonenko (US 2002/0131399) in view of Spraetz "*Out with the new, in with the old: A look at scheduling alternatives*" further in view of EP 1 246 097 to British Telecommunications and claims 7, 15, 33, 41, and 54 are rejected under 35 U.S.C.§103(a) as being unpatentable over Philonenko in view of Spraetz as applied to claims 1-6, 8-14, 16-19, 24-32, 34-40, and 42-53 and further in view of EIX.

These claims have been canceled.

Nothwithstanding these claim cancellations, the above-identified references fail to teach or suggest at least the following italicized limitations in the newly added independent claims:

> 55. A method, comprising:
>
> (a) providing first and second sets of resources to service work items, the first and second sets of resources each comprising a plurality of members;
>
> (b) *monitoring, by a processor, a plurality of wait times of selected enqueued work items, an occupancy of a selected queue, a number of available members of the first set of resources to service enqueued work items, the types of enqueued contacts, the priorities of enqueued contacts, and anticipated workload levels*;
>
> (c) *determining, by a processor and based on the results of the monitoring step, that a first enqueued work item, but not a second enqueued work item, must be put up for bid to meet a predetermined business policy, objective and/or goal for a type of contact corresponding to the first and selected enqueued work items*;
>
> (d) *determining, by a processor, the times to initiate and complete the bidding process, wherein the time is a function of an estimation of when the predetermined business policy, objective, and/or goal will be violated in the absence of servicing of the first work item*;

(e) requesting, by a processor, first and second members of the second set of resources to submit a bid to service the first, but not the second, work item;

(f) receiving, from the first and second members first and second bids, respectively, to service the first work item;

(g) comparing, by a processor, the first and second bids;

(h) selecting, by a processor and based on the comparing step (g), the first bid; and

(i) assigning, by a processor, the first work item to the first member for servicing.

78. A contact center, comprising:

first and second sets of resources to service work items, the first and second sets of resources each comprising a plurality of members;

a processor operable to:

monitor a plurality of wait times of selected enqueued work items, an occupancy of a selected queue, a number of available members of the first set of resources to service enqueued work items, the types of enqueued contacts, the priorities of enqueued contacts, and anticipated workload levels;

determine, based on the results of the monitoring operation, that a first enqueued work item, but not a second enqueued work item, must be put up for bid to meet a predetermined business policy, objective and/or goal for a type of contact corresponding to the first and selected enqueued work items;

configure the times to initiate and complete the bidding process, wherein the time is a function of an estimation of when the predetermined business policy, objective, and/or goal will be violated in the absence of servicing of the first work item;

request first and second members of the second set of resources to submit a bid to service the first, but not the second, work item;

receive, from the first and second members first and second bids, respectively, to service the first work item;

compare the first and second bids;

select, based on the comparing operation, the first bid; and

assign the first work item to the first member for servicing.

90. A computer program product comprising processor executable instructions encoded on a computer readable medium, which, when executed by the processor, causes the processor to perform the following operations:

monitor a plurality of wait times of selected enqueued work items, an occupancy of a selected queue, a number of available members of the first set of resources to service enqueued work items, the types of enqueued contacts, the priorities of enqueued contacts, and anticipated workload levels, wherein first and second sets of resources service work items, the first and second sets of resources each comprising a plurality of members;

determine, based on the results of the monitoring operation, that a first enqueued work item, but not a second enqueued work item, must be put up for bid to meet a predetermined business policy, objective and/or goal for a type of contact corresponding to the first and selected enqueued work items;

configure the times to initiate and complete the bidding process, wherein the time is a function of an estimation of when the predetermined business policy, objective, and/or goal will be violated in the absence of servicing of the first work item;

request first and second members of the second set of resources to submit a bid to service the first, but not the second, work item;

receive, from the first and second members first and second bids, respectively, to service the first work item;

compare the first and second bids;

select, based on the comparing operation, the first bid; and

assign the first work item to the first member for servicing.

Philonenko is directed to a routing system for routing communication events. At paragraphs [0149] to [0158], an embodiment using an auction-type environment for prioritized routing is described. Clients, or customers, can, through promise of contribution or through instant contribution, advance their position in queue in terms of both generic priority levels and specialized priority levels.

EP 1 246 097 is directed to a work allocation system that allocates work via a market-based and preference learning mechanism. Work is allocated by the agents operating in a marketplace using contract net based negotiation and a learning algorithm is used to form profiles and preferences for each worker that is managed in a workgroup, so that the mediator agent for that workgroup can allocate appropriate work and use the profile of a worker's learned working preferences to decide his bidding strategy. A scheduler is also used to decide the pricing of work offered by mediators to workers.

The remaining references discuss the use of schedule bidding in contact centers. In schedule bidding, employees select, or bid, on the working shifts they prefer from a master list of all possible schedules. A typical b id is based on seniority.

Accordingly, the pending claims are allowable.

The dependent claims provide further allowable distinctions over the above-identified prior art.

Based on the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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